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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/550,387	04/14/2000	Rene Morales JR.	AUS000091US1	8687

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IBM CORPORATION
INTELLECTUAL PROPERTY LAW
11400 BURNET ROAD
AUSTIN, TX 78758

EXAMINER

VO, TED T

ART UNIT PAPER NUMBER

2192

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental
Notice of Allowability**

Application No.

09/550,387

Applicant(s)

MORALES ET AL.

Examiner

Ted T. Vo

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/25/05.
2. ☒ The allowed claim(s) is/are 1-6, 8-24, 31-39, 41-57, 64-72, 74-90, 97-99.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |


TUAN DAM
SUPERVISORY PATENT EXAMINER

20

EXAMINER'S AMENDMENT

1. This communication is a supplemental notice of allowability, which follows the prior Notice of Allowability mailed on 04/22/2005. The Examiner Amendment is required for resolving 101 issue remaining in the Claims.

Claims 67-72, 74-90, 97-99 are amended within this Examiner Amendment,

Claims 1-6, 8-24, 31-39, 41-57, 64-72, 74-90, 97-99 remain allowed as noted in the prior Notice of Allowability, mailed on 04/22/2005.

2. An examiner's amendment to the record appears below which is required for resolving 101 issue. It should be noted that the payment of the issue fee was recorded on 06/06/05.

Authorization for this examiner's amendment was given in a telephone interview with Applicants' representative, Mr. Andrew Dillon, Attorney Reg. No. 29,634, on 6/14/05.

3. **In the Claims:** Please amended Claims 67-72, 74-90, 97-99 as follows:

Claim 67. (Currently amended) An [computer program product including an] automated software test environment for automatically testing a software application, [said computer program product] comprising:

computer readable memory;

instruction means within said computer readable memory for establishing a work flow manager for automatically managing said automated software test environment, said automated software test environment including a plurality of computer systems coupled to a server computer system utilizing a network, said work flow manager being executed utilizing said server computer system;

instruction means within said computer readable memory for establishing a plurality of ordered test phases to be executed in a specified order including at least an initialization test phase for preparing said test environment for testing said software application, said initialization test phase capable of being executed prior to an availability of said software application;

instruction means within said computer readable memory for transmitting an event to said work flow manager utilizing one of said plurality of computer systems to start execution of selected ones of said plurality of ordered test phases; and

instruction means within said computer readable memory for controlling execution of said selected ones of said plurality of ordered test phases utilizing said work flow manager in response to a receipt of events.

Claim 68. (Currently amended) The [computer program product] automated software test environment according to claim 67, further comprising instruction means within said computer readable memory for executing an initialization test phase utilizing said work flow manager in response to a receipt of a build event by said server computer system, said build event being generated by one of said plurality of computer systems utilized to build said software application.

Claim 69. (Currently amended) The [computer program product] automated software test environment according to claim 67, further comprising:

said instruction means within said computer readable memory for establishing a plurality of ordered test phases further comprising instruction means within said computer readable memory for establishing a plurality of ordered test phases including an execution test phase for executing a plurality of tests on said software application; and

instruction means within said computer readable memory for executing a first plurality of said plurality of tests in series.

Claim 70. (Currently amended) The [computer program product] automated software test environment according to claim 67, further comprising:

said instruction means within said computer readable memory for establishing a plurality of ordered test phases further comprising instruction means within said computer readable memory for establishing a plurality of ordered test phases including an execution test phase for executing a plurality of tests on said software application; and

instruction means within said computer readable memory for executing a second plurality of said plurality of tests in parallel.

Claim 71. (Currently amended) The [computer program product] automated software test environment according to claim 67, further comprising:

said instruction means within said computer readable memory for establishing a plurality of ordered test phases further comprising instruction means within said computer readable memory for establishing a plurality of ordered test phases including an execution test phase for executing a plurality of tests on said software application;

instruction means within said computer readable memory for executing a first plurality of said plurality of tests in series; and

instruction means within said computer readable memory for executing said first plurality of said plurality of tests in parallel with a fourth plurality of said plurality of tests.

Claim 72. (Currently amended) The [computer program product] automated software test environment according to claim 67, further comprising instruction means within said computer readable memory for receiving a job description utilizing said work flow manager, said job description including an identification of said software application and an identification of a plurality of tests to be executed on said software application.

Claim 74. (Currently amended) The [computer program product] automated software test environment according to claim 67, wherein said instruction means within said computer readable memory for establishing a plurality of ordered test phases further comprises instruction means within said computer readable memory for establishing an installation test phase for installing test processes and said software application on said plurality of computer systems.

Claim 75. (Currently amended) The [computer program product] automated software test environment according to claim 67, wherein said instruction means within said computer readable memory for establishing a plurality of ordered test phases further comprises:

instruction means within said computer readable memory for establishing an execution test phase for executing a plurality of tests on said software application; and

instruction means within said computer readable memory for establishing a termination test phase for terminating said execution of said tests.

Claim 76. (Currently amended) The [computer program product] automated software test environment according to claim 67, further comprising instruction means within said computer readable memory for specifying an order for executing said plurality of ordered test phases including specifying completing execution of an initialization test phase prior to executing an

installation test phase, completing execution of said installation test phase prior to executing an execution test phase, and completing execution of said execution test phase prior to executing a termination test phase.

Claim 77. (Currently amended) The [computer program product] automated software test environment according to claim 67, further comprising instruction means within said computer readable memory during said initialization test phase prior to said software application being available, for preparing said automated test environment to execute said plurality of tests.

Claim 78. (Currently amended) The [computer program product] automated software test environment according to claim 67, further comprising instruction means within said computer readable memory for generating an initialization event in response to a completion of building said software application.

Claim 79. (Currently amended) The [computer program product] automated software test environment according to claim 67, wherein said instruction means within said computer readable memory prior to said availability of said software application, for preparing said automated test environment to execute said plurality of tests further comprises instruction means within said computer readable memory for determining an availability of one of said plurality of computer system to be utilized to execute one of said plurality of tests.

Claim 80. (Currently amended) The [computer program product] automated software test environment according to claim 67, wherein said instruction means within said computer readable memory for establishing an initialization test phase further comprises instruction means within said computer readable memory for establishing an initialization test phase including:

instruction means within said computer readable memory for executing initialization test phase processes;

instruction means within said computer readable memory for building said software application; and

instruction means within said computer readable memory for copying said built software application to one of said plurality of computer systems, wherein said software application is available when said built software application is copied to one of said plurality of computer systems.

Claim 81. (Currently amended) The [computer program product] automated software test environment according to claim 80, further comprising instruction means within said computer readable memory for generating an installation event in response to a completion of said copying said built software application to one of said plurality of computer systems and a completion of initialization test phase processes.

Claim 82. (Currently amended) The [computer program product] automated software test environment according to claim 74, wherein said instruction means within said computer readable memory for establishing an installation test phase further comprises instruction means within said computer readable memory for establishing an installation test phase including instruction means within said computer readable memory for installing a plurality of test cases on one of said plurality of computer systems.

Claim 83. (Currently amended) The [computer program product] automated software test environment according to claim 74, wherein said instruction means within said computer readable memory for establishing an installation test phase further comprises instruction means within said computer readable memory for installing an operating system required to execute one of said plurality of tests on one of said plurality of computer systems.

Claim 84. (Currently amended) The [computer program product] automated software test environment according to claim 74, wherein said instruction means within said computer readable memory for establishing an installation test phase further comprises instruction means within said computer readable memory for installing a plurality of test tools required to execute one of said plurality of tests on one of said plurality of computer systems.

Claim 85. (Currently amended) The [computer program product] automated software test environment according to claim 75, wherein said instruction means within said computer readable memory for establishing an execution test phase further comprises instruction means within said computer readable memory for establishing an execution test phase including instruction means within said computer readable memory for executing said plurality of tests.

Claim 86. (Currently amended) The [computer program product] automated software test environment according to claim 75, wherein said instruction means within said computer readable memory for establishing a termination test phase further comprises instruction means within said computer readable memory for establishing a termination test phase including instruction means within said computer readable memory for resetting said automated test environment to an original state.

Claim 87. (Currently amended) The [computer program product] automated software test environment according to claim 67, further comprising instruction means within said computer readable memory for establishing a validation procedure including:

instruction means within said computer readable memory for suspending execution of said plurality of tests prior to a completion of said plurality of tests; and

instruction means within said computer readable memory for providing a notification of said suspension.

Claim 88. (Currently amended) The [computer program product] automated software test environment according to claim 67, further comprising instruction means within said computer readable memory for establishing a validation procedure including:

instruction means within said computer readable memory for terminating execution of said plurality of tests prior to a completion of said plurality of tests; and

instruction means within said computer readable memory for providing a notification of said termination.

Claim 89. (Currently amended) The [computer program product] automated software test environment according to claim 67, further comprising instruction means within said computer readable memory for establishment a validation procedure including:

instruction means within said computer readable memory for executing a process to determine a result of an execution of each said plurality of tests; and

instruction means within said computer readable memory for reporting said result.

Claim 90. (Currently amended) The [computer program product] automated software test environment according to claim 67, wherein said instruction means within said computer readable memory for establishing a plurality of ordered test phases further comprises instruction means within said computer readable memory for establishing a plurality of ordered test phases, at least each of two of said plurality of order test phases being executed utilizing different ones of said plurality of computer systems.

Claim 97. (Currently amended) An [computer program product including an] automated software test environment for automatically testing a software application, comprising:

computer readable memory;

instruction means within said computer readable memory for establishing an event-driven work flow manager for automatically managing said automated software test environment

in response to a receipt of events, said automated software test environment including a plurality of computer systems coupled to a server computer system utilizing a network, said work flow manager being executed utilizing said server computer system;

instruction means within said computer readable memory for executing a plurality of tests on said software application utilizing said plurality of computer systems being managed by said work flow manager;

instruction means within said computer readable memory responsive to a completion of one of said plurality of tests, for executing a validation procedure to validate a result of said one of said plurality of tests;

instruction means within said computer readable memory for suspending execution of others of said plurality of tests being executed in response to a failure of said validation procedure to validate said result of said one of said plurality of tests; and

instruction means within said computer readable memory for providing a notification of said suspension of execution.

Claim 98. (Currently amended) An [computer program product including an] automated software test environment for automatically testing a software application, comprising:

computer readable memory;

instruction means within said computer readable memory for establishing an event-driven work flow manager for automatically managing said automated software test environment in response to a receipt of events, said automated software test environment including a plurality of computer systems coupled to a server computer system utilizing a network, said work flow manager being executed utilizing said server computer system;

instruction means within said computer readable memory for executing a plurality of tests on said software application utilizing said plurality of computer systems being managed by said work flow manager;

instruction means within said computer readable memory responsive to a completion of one of said plurality of tests, for executing a validation procedure to validate a result of said one of said plurality of tests;

instruction means within said computer readable memory for terminating execution of others of said plurality of tests being executed in response to a failure of said validation procedure to validate said result of said one of said plurality of tests; and

instruction means within said computer readable memory for providing a notification of said termination of execution.

Claim 99. (Currently amended) An [computer program product including an] automated software test environment for automatically testing a software application, comprising:

computer readable memory;

instruction means within said computer readable memory for establishing an event-driven work flow manager for automatically managing said automated software test environment in response to a receipt of events, said automated software test environment including a plurality of computer systems coupled to a server computer system utilizing a network, said work flow manager being executed utilizing said server computer system;

instruction means within said computer readable memory for executing a plurality of tests on said software application utilizing said plurality of computer systems being managed by said work flow manager;

instruction means within said computer readable memory responsive to a completion of one of said plurality of tests, for executing a validation procedure to validate a result of said one of said plurality of tests;

instruction means within said computer readable memory for spawning a new process in response to said execution of a validation procedure to determine a result of execution of said one of said plurality of tests; and

Art Unit: 2192

instruction means within said computer readable memory for reporting a result of said spawned new process, wherein said result of execution of said one of said plurality of tests is reported.


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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The examiner can normally be reached on 8:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3694. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTV
Art Unit 2192
June 15, 2005



TUAN DAM
SUPERVISORY PATENT EXAMINER